

**From:** Brent Fulgham  
**To:** Microsoft ATR  
**Date:** 1/23/02 4:12pm  
**Subject:** Microsoft Settlement

To: Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Hesse,

I am writing to express my strong disagreement with the terms of the proposed Microsoft settlement. I have watched this story (in its various iterations) for the last several years, and have become increasingly concerned with the power Microsoft holds over the computer industry, and the lack of oversight or meaningful controls placed on them.

The main problem with the settlement is that it is so narrowly crafted with respect to the meaning of API's, middleware, and other terms, that it is effectively meaningless. To craft legislation that requires Microsoft to allow a competing Java middleware layer, when Microsoft has advertised its intention to move everything to ".NET" is a good example of the poor thought that went into this document. This would be analogous to a car company agreeing that "all cars must permit the 9-track tape player to be replaced with a competing 9-track tape player", when the company is already shipping vehicles with cassette tape players.

In short, the current settlement is fatally flawed in its intent to regulate Microsoft's behavior with respect to system integrators, software developers, and end-users. Please revise this document to strengthen the protections.

Best regards,

Brent Fulgham  
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Ventura, CA 93003

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